

Application No.: 10/608581

Docket No.: TOW-029

REMARKS

Applicant amends claims 1, 8, and 9 and cancel claim 3. Hence, claims 1, 4-11 are pending, of which claim 1 is independent. Applicant notes with appreciation that the Examiner deems claims 1 and 4-7 to recite allowable subject matter. Applicant thanks the Examiner for taking the time to hold a telephone interview with Applicant's attorney to help Applicant to place the pending application in condition for allowance.

Double Patenting Rejection

Claims 1 and 3-11 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 and 7-8 of copending Application No. 10/609,100.

Applicant respectfully submits that Application No. 10/609,100 has been abandoned. An express abandonment was filed on June 23, 2006 for Application No. 10/609,100. Accordingly, Applicant respectfully requests that the Examiner reconsider and withdraw the double patenting rejection.

Claim Rejections Under 35 U.S.C. §112

Claims 1 and 3 are rejected under 35 U.S.C. §112, first paragraph and second paragraph. Applicant amends claim 1 to address the Examiner's concerns. Claim 3 is canceled. Applicant respectfully requests that the Examiner reconsider and withdraw the 35 U.S.C. §112 rejections.

Claim Objection

Claim 3 is objected to as being a substantial duplicate of claim 1. Applicant cancels claim 3. Applicant respectfully requests that the Examiner reconsider and withdraw the claim objection.

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CONCLUSION

In view of the above amendment, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. TOW-029 from which the undersigned is authorized to draw.

Dated: June 29, 2006

Respectfully submitted,

By


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